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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/608,499

06/30/2003

Mihai Sirbu

TI-35627

8638

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7590

03/10/2006

TEXAS INSTRUMENTS INCORPORATED

P O BOX 655474, M/S 3999

DALLAS, TX 75265

EXAMINER

URICK, MATTHEW T

ART UNIT

PAPER NUMBER

2113

DATE MAILED: 03/10/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/608,499	SIRBU, MIHAI	
	<b>Examiner</b>	<b>Art Unit</b>	
	Matt Urick	2113	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 30 June 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 June 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

**NON-FINAL OFFICIAL ACTION**

***Status of the Claims***

Claims 1-6, 8, and 11-16 are rejected under 35 USC 102

Claims 7, 9, 10, and 17-19 are rejected under 35 USC 103

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-6, 8, and 11-16 are rejected under 35 U.S.C. 102(b) as being anticipated by Mongan (United States Patent No. 6,304,982 B1).

As per claim 1, Mongan discloses:

A computer method for testing a test unit, comprising:

receiving an output of said test unit into a testing system (column 7 lines 41-43, lines 48-50: server receives output of client);

providing an expert system operably connected to said testing system (column 3 lines 36-45: test grouper 122 connected to server);

comparing, in said expert system, said output with an expected result for said output (column 8 lines 50-60); and

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determining, in said testing system, if said output complies with said expected result (column 8 lines 1-5).

As per claim 2, Mongan discloses:

The method of claim 1, further comprising:

analyzing the output for fact data in said expert system (column 8 lines 50-56);

analyzing the output for rule data in said expert system (column 8 lines 57-60);

and

evaluating relationships of the facts and the rules within said output to determine compliance of said output with said expected result (column 8 lines 61-64).

As per claim 3, Mongan discloses:

The method of claim 1, wherein said test unit comprises a software code (column 4 lines 16-25).

As per claim 4, Mongan discloses:

The method of claim 1, further comprising:

entering an input into said test unit from said testing system (column 6 lines 56-62 server program inputs test 100 to client); and

comparing said output with said expected result according to said input (column 6 lines 63-65 testing system checks results).

As per claim 5, Mongan discloses:

The method of claim 1, further comprising:

entering an input into said test unit from said testing system (column 6 lines 56-62 server program inputs test 100 to client); and

comparing said output with an anticipated response of said test unit according to said input (column 6 lines 63-65 testing system checks results).

As per claim 6, Mongan discloses

The method of claim 1, further comprising:

receiving a second output of a second test unit into said testing system (column 3 lines 34-37, column 4 lines 25-29: multiple client computers are depicted, and it is disclosed that multiple clients can perform the described method);

comparing, in said expert system, said second output with a second expected result for said second output (column 8 lines 50-60); and

determining, in said testing system, if said second output complies with said second expected result (column 8 lines 1-5).

As per claim 8, Mongan discloses

The method of claim 6, further comprising:

entering an input into said second test unit (column 6 lines 56-62 server program inputs test 100 to client); and

comparing said second output with said second expected result according to said input (column 6 lines 63-65 testing system checks results).

As per claim 11, Mongan discloses

A system for testing a test unit, comprising: a processor, comprising:  
a testing module for receiving an output of said test unit (column 7 lines 41-43, lines 48-50: server receives output of client); and  
an expert system for comparing said output with an expected result for said output and for determining if said output complies with said expected result (column 3 lines 36-45: test grouper 122 connected to server).

As per claim 12, Mongan discloses

The system of claim 11, wherein said expert system analyzes said test unit output for a fact data, analyzes the said test unit output for a protocol rule data, evaluates relationships of said fact data and said rule data between a plurality of outputs of said test unit, and determines whether said output complies with said expected result (column 8 lines 50-64 as applied in claim 2).

As per claim 13, Mongan discloses

The system of claim 11, wherein said test unit comprises a software code (column 4 lines 16-25).

As per claim 14, Mongan discloses

The system of claim 11, further comprising:

a control module for entering an input into said test unit (column 6 lines 56-62 server program inputs test 100 to client); and

wherein said expert system compares said output with said expected result according to said input (column 6 lines 63-65 testing system checks results).

As per claim 15, Mongan discloses

The system of claim 11, further comprising: a control module for entering an input into said test unit (column 6 lines 56-62 server program inputs test 100 to client); and,

wherein said expert system compares said output with an anticipated response of said test unit according to said input (column 6 lines 63-65 testing system checks results).

As per claim 16, Mongan discloses

The system of claim 11, further comprising: a second test unit operably connected to said testing system,

wherein said testing system receives a second output of said second test unit (column 3 lines 34-37, column 4 lines 25-29: multiple client computers are depicted, and it is disclosed that multiple clients can perform the described method); and

wherein said expert system compares said second output with a second expected result for said second output and determines if said second output complies with said second expected result (column 8 lines 50-60).

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 7, 9, 10, and 17-19 rejected under 35 U.S.C. 103(a) as being unpatentable over Mongan (United States Patent No. 6,304,982 B1). In view of Asher (United States Patent Application Publication No. 2004/0034614 A1).

As per claim 7, Mongan fails to disclose:

The method of claim 6, further comprising:

providing a communication link between said test unit and said second test unit;

capturing a communication data transferred between said test unit and said second test unit; and

analyzing, in a protocol analyzer, said communication data for compliance with a second expected result.



Asher discloses a system which two computers are connected through a Local Area Network (§ 39 lines 1-4), and a network incident analyzer monitors the data being sent through them (§ 20 last 7 lines). Asher discloses that this system enables a user to compile troubleshooting data gathered from multiple systems (§ 4, § 5). Mongan discloses that he wishes to reduce the complexity of gathering troubleshooting results (column 1 lines 25-50). Using the network incident analyzer of Asher would provide the added benefit of troubleshooting network data as well as individual client troubleshooting data. Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to incorporate the network incident analyzer of Asher into the testing system of Mongan, to provide added troubleshooting capabilities.

As per claim 9, Mongan discloses

The method of claim 1, further comprising: providing a user interface module in said testing system that provides an external input and external output for the testing system (column 3 lines 23-32 client 102 may be a personal computer).

Asher discloses a system in which a GUI is used to display data received and compiled by a network incident analyzer (§ 24). Asher discloses that this enables the user to understand and interpret mass amounts of data coming from a troubleshooting system (§ 7, § 8). Mongan also stresses the problems associated with receiving multiple results from multiple systems. Using the GUI of Asher would provide the user with a summary of applicable information, improving the abilities of the user. Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to

incorporate the GUI of Asher into the testing system of Mongan, to provide added troubleshooting capabilities.

As per claim 10, Mongan discloses

The method of claim 1, further comprising: providing a computer interface module in said testing system that provides an external input and external output for the testing system.

Asher discloses a system in which a GUI is used to display data received and compiled by a network incident analyzer (§ 24). Asher discloses that this enables the user to understand and interpret mass amounts of data coming from a troubleshooting system (§ 7, § 8). Mongan also stresses the problems associated with receiving multiple results from multiple systems. Using the GUI of Asher would provide the user with a summary of applicable information, improving the abilities of the user. Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to incorporate the GUI of Asher into the testing system of Mongan, to provide added troubleshooting capabilities.

As per claim 17, Mongan fails to disclose:

The method of claim 16, further comprising:

a communication link between said test unit and said second test unit; and

a protocol analyzer, operably connected to said testing system, wherein said testing system receives a communication data transferred between said test unit and said second test unit, and

wherein said protocol analyzer analyzes said communication data for compliance with said second expected result.

Asher discloses a system which two computers are connected through a Local Area Network (§ 39 lines 1-4), and a network incident analyzer monitors the data being sent through them (§ 20 last 7 lines). Asher discloses that this system enables a user to compile troubleshooting data gathered from multiple systems (§ 4, § 5). Mongan discloses that he wishes to reduce the complexity of gathering troubleshooting results (column 1 lines 25-50). Using the network incident analyzer of Asher would provide the added benefit of troubleshooting network data as well as individual client troubleshooting data. Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to incorporate the network incident analyzer of Asher into the testing system of Mongan, to provide added troubleshooting capabilities.

As per claim 18, Mongan discloses

The system of claim 11, further comprising: a user interface module in said testing system for providing an external input and output into said testing system.

Asher discloses a system in which a GUI is used to display data received and compiled by a network incident analyzer (§ 24). Asher discloses that this enables the user to understand and interpret mass amounts of data coming from a troubleshooting

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system (§ 7, § 8). Mongan also stresses the problems associated with receiving multiple results from multiple systems. Using the GUI of Asher would provide the user with a summary of applicable information, improving the abilities of the user. Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to incorporate the GUI of Asher into the testing system of Mongan, to provide added troubleshooting capabilities.

As per claim 19, Mongan discloses

The system of claim 11, further comprising: a computer interface module in said testing system for providing an external input and output into said testing system.

Asher discloses a system in which a GUI is used to display data received and compiled by a network incident analyzer (§ 24). Asher discloses that this enables the user to understand and interpret mass amounts of data coming from a troubleshooting system (§ 7, § 8). Mongan also stresses the problems associated with receiving multiple results from multiple systems. Using the GUI of Asher would provide the user with a summary of applicable information, improving the abilities of the user. Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to incorporate the GUI of Asher into the testing system of Mongan, to provide added troubleshooting capabilities.

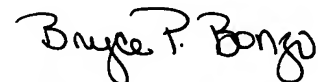
***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Matt Urick whose telephone number is (571) 272-0805. The examiner can normally be reached on 8:00 - 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Beausoliel can be reached on (571) 272-3645. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MAZ  
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**BRYCE P. BONZO**  
**PRIMARY EXAMINER**